

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT DEDMON, §
Plaintiff §
§
v. § Civil Action No. _____
§
SHELL EXPLORATION & §
PRODUCTION COMPANY and SHELL §
TRADING SERVICES COMPANY, §
Defendants. §

**DEFENDANTS SHELL EXPLORATION & PRODUCTION COMPANY
AND SHELL TRADING SERVICES COMPANY'S NOTICE OF REMOVAL**

Defendants Shell Exploration & Production Company and Shell Trading Services Company (collectively “Shell” or “Defendants”) file this their Notice of Removal (the “Notice”) pursuant to 28 U.S.C. 1331, 1441, and 1446, and remove the race and color discrimination lawsuit captioned *Robert Dedmon v. Shell Exploration & Production Company and Shell Trading Services Company*, Cause No. 2021-57781, in the 281st Judicial District Court of Harris County, Texas (the “State Court Lawsuit”). In support of this removal, Defendants submit this Notice and respectfully show as follows:

I.

1. Plaintiff Robert Dedmon (“Dedmon” or “Plaintiff”) filed the State Court Lawsuit on or about September 8, 2021 alleging race and color discrimination against both Defendants under Title VII of the Civil Rights Act of 1964, exclusively. *See Exhibit A.* Plaintiff particularly asserts that “[t]he conduct described above shows that the Shell Defendants violated Title VII [42 U.S.C. 2000e et seq.] – by using race and skin color as a motivating factor in job grade and compensation practices.” *See Exhibit A,* at p. 16.

2. Defendants first received notice and service of Plaintiff's Original Petition to initiate a lawsuit on September 14, 2021. *See Exhibit D.* Therefore, this removal is timely because thirty (30) days have not expired since service has taken place. *See 28 U.S.C. § 1446(b)(1).*

3. Defendants filed their Answer and Affirmative Defenses on October 11, 2021. *See Exhibit B.*

II.

4. Plaintiff's Title VII claim is one over which this Court has original federal question jurisdiction under 28 U.S.C. §1331, which states that “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” Thus, Defendants may, and hereby do, remove this case pursuant to 28 U.S.C. §§1441 and 1446.

5. Removal to the United States District Court for the Southern District of Texas, Houston Division, under 28 U.S.C. §§ 1441(a) and 1446(a), is proper because this district and division embrace the 281st Judicial District Court of Harris County, Texas, the forum in which the removed action was filed and pending.

III.

6. In accordance with Local Rule 81, attached hereto as Exhibit C is a copy of the docket sheet from the State Court Lawsuit and attached hereto as Exhibit D is a complete certified copy of the record obtained in the underlying matter, which includes all executed process, pleadings, and orders in the State Court Lawsuit.¹

7. Pursuant to Local Rule 81(6), Defendants provide a list of all counsel of record, including their addresses, telephone numbers and parties represented. *See Exhibit E.* In addition,

¹ Defendants are not aware of any signed orders in the state court proceeding. Additionally, the Harris County District Clerk's office confirmed to counsel for Defendants that the docket sheet attached hereto in Exhibit C constitutes a certified copy of the docket sheet/report for the State Law Case.

in accordance with Local Rule 81(5), Defendants attach an Index of the documents being filed with this Notice of Removal. *See Exhibit F.*

IV.

8. Both Defendants file, join in, consent to and sign this Notice of Removal.

V.

9. Pursuant to 28 U.S.C. § 1446(d), Defendants will file a copy of this Notice with the 281st Judicial District Court of Harris County, Texas. Defendants will also provide Plaintiff with written notice of this filing and the notice they will file in the State Court Lawsuit.

Dated: October 14, 2021.

Respectfully submitted,

EVERSHEDS SUTHERLAND (US) LLP

By: /s/ Marlene C. Williams

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ATTORNEYS FOR DEFENDANTS SHELL EXPLORATION & PRODUCTION COMPANY AND SHELL TRADING SERVICES COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2021, a true and correct copy of the foregoing was served on the following counsel of record via the electronic court filing system and/or in accordance with the Federal Rules of Civil Procedure.

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